



GALVESTON COUNTY, TEXAS

COMMISSIONERS COURT 722 Moody, County Courthouse, Galveston, TX 77550 (409) 766-2244

Mark Henry Ryan Dennard Joe Giusti Stephen Holmes Ken Clark
County Judge Commissioner, Precinct 1 Commissioner, Precinct 2 Commissioner, Precinct 3 Commissioner, Precinct 4

AGENDA

August 2, 2016 – 1:30 PM

CONSENT AGENDA: ALL ITEMS MARKED WITH A SINGLE ASTERISK (*) ARE PART OF THE CONSENT AGENDA AND REQUIRE NO DELIBERATION BY THE COMMISSIONERS COURT. ANY COMMISSIONERS COURT MEMBER MAY REMOVE AN ITEM FROM THIS AGENDA TO BE CONSIDERED SEPARATELY.

In accordance with the provisions of the Americans with Disabilities Act (ADA), persons in need of a special accommodation to participate in this proceeding shall, within three (3) days prior to any proceeding contact the County Judge's office at 722 Moody, Galveston, Texas 77550 (409) 766-2244.

REGULARLY SCHEDULED MEETING

Call to Order

Invocation and Pledge of Allegiance

Consent Agenda

- *1. Submitted by Auditor's Office:
 - a. Approval of the Accounts Payable Checks dated 7/26/16 and 8/2/16
 - b. Order for Payroll period ending 7/27/16 Bi-Weekly #16
 - c. Order for Supplemental Payroll period ending 7/27/16 Bi-Weekly #16
 - d. Quarterly audit report for Justice of the Peace, Pct. 1 (Bacliff and Texas City) for period April - June 2016
 - e. Quarterly audit report for Justice of the Peace, Pct. 4 for period April - June 2016
 - f. Internal Audit Report of Justice of the Peace, Pct.3 for period of 4/1/15 - 3/31/16 with response letter from Honorable Penny L. Pope dated 7/14/16
 - g. Correction to Personnel Action Report Bi-Weekly #14
 - h. Quarterly audit report for Justice of the Peace, Pct. 3 (Galveston, La Marque and Crystal Beach) for period April - June 2016

- *2. Receive and file *Restitution Check List from Odyssey* submitted by Collections Improvement Program.
- *3. Receive and file *Refund Check List from Odyssey* submitted by the District Clerk.
- *4. Receive and file *Summary of Biweekly Personnel Movements pay period #15, June 30 - July 13, 2016* submitted by Human Resources.
- *5. Consideration of *approving exemption to the 4 pay period mandatory vacancy policy for DataBase Administrator II (Psn #13)* submitted by Human Resources on behalf of Information Technology.
- *6. Consideration of a *resolution honoring the retirement of Robert E. Manchester from the Texas Veterans Commission* submitted by County Judge.
- *7. Consideration of a *resolution honoring Galveston College's 50th Anniversary* submitted by the County Judge.
- *8. Consideration of a *resolution recognizing Starbucks League City and Manager, Crystal Guerrero*, submitted by the County Judge.
- *9. Consideration of *resolution recognizing Juanderful Burrito League City and Manager, Martin Garza*, submitted by the County Judge.
- *10. Receive and file a *donation of sand from the League City Music Festival in the amount of \$1,500*, submitted by Parks & Cultural Services.
- *11. Receive and file *notification of transfer of funds from the Sheriff's Forfeited Funds Unreserved to the Sheriff's Forfeited Funds Petty Cash* submitted by the Sheriff.
- *12. Consideration to *authorize County Judge to execute acknowledgement of receipt of check in the amount of \$1,561.98 from Reliant an NRG Company for additional funds for the Reliant CARE Program* submitted by Professional Services.
- *13. Consideration of *approval of annual renewal with Justice Benefits, Inc. for State Criminal Alien Assistance Program (SCAAP) contract* submitted by the Sheriff's Office.
- *14. Consideration of *approval for the solicitation of an auction to sell HOP property* submitted by the Housing Department:
 - a. 248 Muriel St. La Marque TX 77568
- *15. Consideration of *approval of an agreement with Lucas Construction for walkway accessibility compliance for various locations throughout the county* submitted by the County Architect.

- *16. Consideration of *approval of contract CM16190 with Montgomery Building Service, LLC for Bid B161012A to construct the Community Center at the 64 Acre Park in Bacliff* submitted by the County Architect.
- *17. Consideration of *approval of an interlocal agreement with the City of Hitchcock for reconstruction of Neville Road* submitted by Road and Bridge Dept.
- *18. Consideration to *authorize the County Judge to sign a contract for election services between the Bolivar Peninsula S.U.D. and Galveston County Elections Division to conduct BPSUD's November 2016 Election* submitted by the County Clerk.
- *19. Consideration to *authorize the County Judge to sign a contract for election services between Galveston MUD6 and Galveston County Elections Division to conduct the Galveston MUD6's November 2016 Election* submitted by the County Clerk.
- *20. Consideration to *authorize the County Judge to sign a contract for election services between Friendswood Independent School District and Galveston County Elections Division to conduct the FISD November 2016 Election* submitted by the County Clerk.
- *21. Consideration to *authorize the County Judge to sign a contract for election services between Flamingo Isles MUD and Galveston County Elections Division to conduct the Flamingo Isles MUD's November 2016 Election* submitted by the County Clerk.
- *22. Consideration to *authorize the County Judge to sign a contract for election services between the High Island Independent School District and Galveston County Elections to conduct the HISD November 2016 election.*
- *23. Consideration to *authorize the County Judge to sign a contract for election services between the Santa Fe Independent School District and Galveston County Elections to conduct the SFISD November 2016 election.*
- *24. Consideration to *authorize the County Judge to sign a contract for election services between the City of League City and Galveston County Elections to conduct the League City November 2016 election.*
- *25. Consideration of *acceptance for the FY 2016 Emergency Management Performance Grant (EMPG) from the Texas Department of Public Safety - Texas Department of Emergency Management* as submitted by the Grants Manager.
- *26. Consideration of *approval for a grant adjustment on the FY 2015 Victims of Crime Act (VOCA) Grant and authorize its submission to the Office of the Governor - Criminal Justice Division* as submitted by the Grants Manager.
- *27. Consideration of *approval of submittal of applications for Round 1 CDBG replacement projects* submitted by the CDBG Project Coordinator.

*28. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors* submitted by the Tax Assessor/Collector:

a.	R173339	Kent, Jan	2015	\$12.08 (W)
	R173452	Kent, Jan	2015	\$7.72 (W)
	R170328	Kent, Jan	2015	\$3.53 (W)
	R173081	Kent, Jan	2015	\$4.10 (W)
	R186490	Kent, Jan	2015	\$3.11 (W)
	R173454	Kent, Jan	2015	\$8.61 (W)
	P510269	Delgado, Jose	2015	\$12.19 (W)
b.	R186566	Wiggins, Matthew	2008	\$86.79 (W)
	R186566	Wiggins, Matthew	2009	\$92.76 (W)
	R186566	Wiggins, Matthew	2010	\$78.23 (W)
	R186566	Wiggins, Matthew	2011	\$5.42 (W)
	R186566	Wiggins, Matthew	2011	\$61.28 (R)
	R186566	Wiggins, Matthew	2012	\$55.13 (R)
	R186566	Wiggins, Matthew	2013	\$46.34 (R)
	R186566	Wiggins, Matthew	2014	\$35.62 (R)
	R186566	Wiggins, Matthew	2015	\$9.37 (R)
	R186567	Wiggins, Matthew	2008	\$86.79 (W)
	R186567	Wiggins, Matthew	2009	\$92.76 (W)
	R186567	Wiggins, Matthew	2010	\$68.86 (W)
	R186567	Wiggins, Matthew	2010	\$9.26 (R)
	R186567	Wiggins, Matthew	2011	\$41.48 (R)
	R186567	Wiggins, Matthew	2012	\$51.96 (R)
c.	R186567	Wiggins, Matthew	2013	\$46.34 (R)
	R186567	Wiggins, Matthew	2014	\$35.62 (R)
	R186567	Wiggins, Matthew	2015	\$9.37 (R)
	R186568	Wiggins, Matthew	2008	\$86.79 (W)
	R186568	Wiggins, Matthew	2009	\$92.76 (W)
	R186568	Wiggins, Matthew	2010	\$78.23 (W)
	R186568	Wiggins, Matthew	2011	\$5.42 (W)
	R186568	Wiggins, Matthew	2011	\$61.28 (R)
	R186568	Wiggins, Matthew	2012	\$55.13 (R)
	R186568	Wiggins, Matthew	2013	\$46.34 (R)
	R186568	Wiggins, Matthew	2014	\$35.62 (R)
	R186568	Wiggins, Matthew	2015	\$9.37 (R)
d.	R128079	Lovier, Steven	2008	\$237.06 (R)
	R128079	Lovier, Steven	2009	\$95.36 (R)
	R128079	Lovier, Steven	2010	\$84.37 (R)
	R128079	Lovier, Steven	2011	\$73.22 (R)
	R128079	Lovier, Steven	2012	\$310.28 (R)

R128079	Lovier, Steven	2013	\$253.88 (R)
R128079	Lovier, Steven	2014	\$197.30 (R)
R128079	Lovier, Steven	2015	\$217.75 (R)
R133193	Turner, Robert	2015	\$133.98 (R)
R133193	Turner, Robert	2015	\$224.61 (W)
R358514	Turner, Robert	2015	\$15.47 (R)
R358514	Turner, Robert	2015	\$26.35 (W)
R100287	Brennan, Kathleen	2015	\$320.38 (W)
N9909088	Petroquest Energy, LLC	2014	\$571.40 (W)
N9909086	Petroquest Energy, LLC	2014	\$83,637.74 (W)

- *29. Request for *Waiver or Refund of Penalty and Interest Due to Clerical Errors by the USPS as Recommended by Penalty & Interest Review Committee in Accordance with County Policy* submitted by the Tax Assessor/Collector:

a.	R201059	Gonzalez, Ramon	2015	\$627.46 (W)
	R412806	Raza, Amir	2015	\$298.42 (W)

- *30. Request for *Ratification of Denial of Request for Waiver or Refund of Penalty and Interest as recommended by Penalty & Interest Review Committee* submitted by the Tax Assessor/Collector:

a.	R128723	Ronacher, Jamie	2015	\$356.42 (W)
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- *31. Receive and file *RFP #B162009 Juvenile Justice Food Service* submitted by the Purchasing Agent.

- *32. Consideration for *authorization to issue formal solicitations for the following bids* submitted by the Purchasing Agent:

- a. CDBG-Round 2 Real Property Sales-August 2016
- b. Construction-Bolivar Peninsula Beach and Dune Restoration

- *33. Consideration for *authorization to cancel and rebid the following RFP* submitted by the Purchasing Agent:

- a. RFP #B162004A Veteran's Sports Complex in Jack Brooks Park

- *34. Consideration for *authorization to issue formal solicitation for Auditing and Related Services and provide notice of non-extension to current vendor* submitted by the Purchasing Agent.

- *35. Consideration of *approval of Diamonte Writer Hardware maintenance with Stenograph LLC* submitted by Information Technology.

*36. Consideration of *approval of the following budget amendments* submitted by Professional Services:

- a. 16-133-0802-A
Professional Services - Request re-appropriation from General Government Other Contract Services account to allocate funds for professional liaison services
- b. 16-134-0802-B
Tax Assessor/Collector - Request transfer from General Fund Budgeted Reserves to Tax Assessor/Collector TXDMV Extraordinary Supplies account for cash boxes
- c. 16-135-0802-C
Facilities Services & Maintenance - Request transfer from Facilities Services & Maintenance electricity account to Facilities Services & Maintenance water account
- d. 16-136-0802-D
Contract Services - Request change in step and grade from 26A to 24C for Contract Services Director position
- e. 16-137-0802-E
Fleet Management - Request change in step and grade from 24E to 24A for Fleet Director position
- f. 16-138-0802-F
Economic Development - Request transfer from General Fund Budgeted Reserves for transportation support for the 2016 Legislative Coastal Tour
- g. 16-139-0802-G
Information Technology - Request transfer from General Fund Budgeted Reserves to Information Technology for step/grade increase from 22O to 26C for Sr. Database Administrator position
- h. 16-140-0802-H
District Attorney - Request transfer from General Fund Budgeted Reserves to District Attorney Extraordinary Supplies and transfer funds from Building Improvements to Extraordinary Supplies for workstations and furnishings in the Appellate Suite
- i. 16-141-0802-I
Road & Bridge - Request transfer from Road & Bridge Fund Budgeted Reserves to Road & Bridge FM Lateral Rd for Interlocal Agreement with the City of Hitchcock for reconstruction of Neville Rd

- j. 16-142-0802-J
Engineering - Request transfer from Ltd Tax Flood Control Bonds Series 2009 Dickinson Bayou Project account to Clear Creek account for interlocal agreement with Harris County Flood Control District for the Mud Gully Detention Basin project
 - k. 16-143-0802-K
Beach and Parks Department - Request transfer from Beach and Parks Fund Budgeted Reserves for beach safety patrol cell phone
 - l. 16-144-0802-L
Justice Court Pct. 2 - Request transfer from Justice Court Precinct #2 Travel and Conference account to Administrative Supplies account for the rest of the fiscal year
 - m. 16-145-0802-M
Professional Services - Request to budget donation for Summer Relief Program
 - n. 16-146-0802-N
Sheriff's Department - Request transfer from General Fund Budgeted Reserves to Sheriff Services ISDS for new deputy in Dickinson ISD
 - o. 16-147-0802-O
Court Administration - Request transfer from General Fund Budgeted Reserves to Court Administration Administrative Supplies for the rest of the fiscal year
- *37. Consideration of *approval of amendment No. 2 to the AECOM engineering agreement for the Lee & Joe Jamail Bay Park project* submitted by the County Engineer.
- *38. Consideration of *approval of amended Change Order No. 5 to the JW Kelso construction contract for the Lee & Joe Jamail Bay Park project* submitted by the County Engineer.

Action Agenda

39. County Clerk

- a. Consideration of approval of contract with Outfront Media for the rental of billboard space by county elections to advertise the use of the Galveston County Elections Mobile App during the November election cycle.
- b. Consideration of approval of seventeen early voting and thirty eight election day vote center poling locations for the November 8, 2016 General Election.

- c. Public Hearing on the County Clerk's Proposed Records Archive Fee Established under §118.025 and §118.011(f) of the Texas Local Government Code Submitted by the County Clerk.
- d. Consideration of Adoption of the County Clerk's Proposed Records Archive Fee Established under §118.025 and §118.011(f) of the Texas Local Government Code Submitted by the County Clerk.

40. **County Judge**

- a. Consideration of approval of agreements for magistrate services with Kerri Foley and James Woltz.

41. **District Clerk**

- a. Public Hearing on the District Clerk's Proposed Records Archive Fee Established under §51.305 of the Texas Government Code Submitted by the District Clerk.
- b. Consideration of Adoption of the District Clerk's Proposed Records Archive Fee Established Under §51.305 of the Texas Government Code Submitted by the District Clerk.

42. **Economic Development**

- a. Consideration of approval to provide transportation support for the 2016 Legislative Coastal Tour - Galveston County from September 8 – 2, 2016.

43. **Emergency Management**

- a. Consideration of adopting Order Prohibiting Outdoor Burning in all Unincorporated Areas of Galveston County, Texas (Outdoor Burn Ban) and authorizing the County Judge to execute same.

44. **Parks & Senior Services**

- a. Consideration and approval of an athletic user group agreement with Bayshore Little League for La Salle Park .
- b. Consideration of approval of revisions to the Facility Permitting Policy.

45. **Professional Services**

- a. Consideration for allowing County Judge to sign Certificate of Construction Completion (COCC) for TDA CDBG Regular Program presented by CDBG Project Coordinator.

- b. Consideration of approval of providing cell phones for county employee(s).

46. **Purchasing**

- a. Consideration of approval of awarding the following:
 - 1. Bid #B161017 EMC Isilon X210 Storage Units
 - 2. Bid #B161012A Community Center at 64 Acre Park, Bacliff, TX

47. **Sheriff**

- a. Consideration of authorizing amendment 2016-01 to the 2015 Interlocal Governmental Agreement for School Liaison Officer Program between Dickinson Independent School District and Galveston County submitted by County Legal.

48. **County Legal**

- a. **Break into Executive Session:**
- b. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 14-CV-1112, Kimberly Sullivan v. Galveston County Commissioners Court, Et Al, in the 212th Judicial District Court.
- c. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 3:16-CV-00065, Diane Jacobs, et. al. v. Henry Trochesset, et. al. in the U.S. District Court for the Southern District of Texas, Galveston Division.
- d. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or-

contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to 14-CV-1289, Bonnie Quiroga v. Galveston County, in the 212th Judicial District Court.

- e. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to the Texas General Land Office and Rollover Pass.
- f. **Executive Session:** Texas Government Code Section 551.071, Consultation with Attorney: the Commissioners Court will enter into an executive session as permitted under the Texas Open Meetings Act pursuant to Section 551.071 of the Government Code: to seek the advice of its attorney about pending or contemplated litigation, a settlement offer, or on a matter in which the duty of the attorney to the County under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act relating to claims on bonds in the County's Severe Repetitive Loss Elevation Program.
- g. **Reconvene into Regularly Scheduled Meeting.**
- h. Consideration of approval of agreements in each of the following homes in the Severe Repetitive Loss Elevation Program for which Expert House Movers served as the Elevation Contractor and in which claims on performance bonds have been made to complete each project and authorizing County Judge to execute such agreements: these remaining projects are at 7026 Terrasso Drive, Hitchcock.

Adjourn

Appearances before Commissioners Court

A speaker whose subject matter as submitted relates to an identifiable item of business on this agenda will be requested by the County Judge or other presiding court members to come to the podium where they will be limited to three minutes (3). A speaker whose subject matter as submitted does not relate to an identifiable item of business on this agenda will be limited to three minutes (3) and will be allowed to speak before the meeting is adjourned. Please arrive prior to the meeting and sign in with the County Clerk.

Executive Sessions

The Galveston County Commissioners Court may recess into closed meeting (Executive Session) on any item listed on this agenda if the Executive Session is authorized under the Open Meetings Act pursuant to one or more the following exceptions: Tex. Gov't Code §§ 551.071 (consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding a prospective gift or donation), 551.074 (personnel matters), 551.0745 (personnel matters affecting County advisory body), 551.076 (deliberation regarding security devices or security audits), and/or 551.087 (deliberations regarding economic development negotiations). The Presiding Officer of the Commissioners Court shall announce the basis for the Executive Session prior to recessing into Executive Session. However, the Commissioners Court may only enter into the Executive Session on any agenda item for which a separate Executive Session has not been separately posted if, prior to conducting the Executive Session, a majority of the Commissioners Court votes to go into Executive Session. This motion requirement does not apply to any agenda item that has been previously noticed to constitute or include an Executive Session.
